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12 *Attorneys for Defendant Bristol-Myers Squibb Company*

13 [Additional Counsel Listed At Signature Page]

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 MICHAEL DIERCKS *et al.*,

19 Plaintiff,

20 v.

21 BRISTOL-MYERS SQUIBB COMPANY,
22 MCKESSON CORPORATION, and
DOES 1 to 100,

23 Defendants.

24 No. 14-0572 JST

25 **JOINT STIPULATION AND**
[PROPOSED] ORDER TO STAY
LITIGATION PENDING TRANSFER TO
THE PLAVIX® MDL

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28 Judge: Hon. Jon S. Tigar

1 This Joint Stipulation is made by and between Plaintiffs in *Diercks et al. v. Bristol-Myers*
2 *Squibb Co. et al.*, No. CV-14-0572 JST (N.D. Cal.), and Defendant Bristol-Myers Squibb Company
3 (“BMS”) (collectively “the Parties”), by and through the undersigned counsel of record, with
4 reference to the following facts:

5 1. WHEREAS, on February 12, 2013, the Judicial Panel on Multidistrict Litigation
6 (“JPML”) established a multidistrict Plavix® litigation in the District of New Jersey, assigned to
7 Judge Freda Wolfson;

8 2. WHEREAS, on February 4, 2014, Plaintiffs filed the *Diercks* action in the Superior
9 Court of California, San Francisco County;

10 3. WHEREAS, on February 6, 2014, the *Diercks* action was removed to this Court by
11 Defendant BMS;

12 4. WHEREAS, on February 12, 2014, Defendant BMS tagged this case for transfer to
13 the Plavix® MDL and anticipates that the JPML will issue a conditional transfer order for this case
14 soon; and

15 5. WHEREAS, the parties agree that the *Diercks* action should be stayed pending its
16 anticipated transfer to the Plavix® MDL in the District of New Jersey.

17
18 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the Court’s
19 approval, that the *Diercks* action should be stayed pending its anticipated transfer to the Plavix®
20 MDL in the District of New Jersey.

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22 **IT IS SO STIPULATED.**

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2 Dated: February 13, 2014

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4 Joshua C. Ezrin
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6 221 Main Street, Suite 1460
7 San Francisco, CA 94105

8
9 By: /s/ Joshua C. Ezrin
10 Joshua C. Ezrin

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12 *Attorney for Plaintiffs*

13
14 Dated: February 13, 2014

15
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19
20 By: /s/ Jeremy M. McLaughlin
21 JEREMY M. McLAUGHLIN

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23 *Attorney for Defendant*
24 *Bristol-Myers Squibb Company*

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27 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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19 Date: February 14, 2014

